

STATE OF NEVADA

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*Governor*

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BRENT C. ECKERSLEY, ESQ., Vice-Chairman  
SANDRA MASTERS, Board Member



BRUCE BRESLOW  
*Director*

BRUCE K. SNYDER  
*Commissioner*

MARISU ROMUALDEZ ABELLAR  
*Executive Assistant*

DEPARTMENT OF BUSINESS AND INDUSTRY  
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD**

2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada 89104  
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January 15, 2015

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, January 13, 2015 at the hour of 8:30 a.m., and continuing on Wednesday, January 14, 2015 and Thursday, January 15, 2015, at the offices of the Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada 89104.

The following Board members were present:

Philip E. Larson, Chairman  
Brent C. Eckersley, Esq., Vice-Chairman  
Sandra Masters, Board Member

Also present:

Bruce K. Snyder, Commissioner  
Scott Davis, Esq., Deputy Attorney General  
Marisu Romualdez Abellar, Board Secretary

Present from the public:<sup>1</sup>

Kristin Martin, McCracken, Stemerman, Bowen &  
Holsberry  
Frank Flaherty, Dyer Lawrence

The Agenda:

**PRELIMINARY MATTERS**

**1. Call to Order**

The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, January 13, 2015 at 8:30 a.m.

<sup>1</sup> Apart from those present for the two hearings (Items 4 and 5).

**2. Public Comment**

No public comment was offered.

**3. Approval of the Minutes**

The Board approved the minutes as presented for the meeting held December 9-11, 2014.

<b>CASES</b>
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**HEARING CALENDAR**

**4. Hearing for Case A1-046106**

**Michael Turner v. Clark County School District**

The hearing on the case was held by the Board. At the conclusion of Complainant's case-in-chief the Board granted the motion to dismiss orally made by Respondent's attorney and directed Deputy Attorney General Scott Davis to draft the opinion, to be circulated amongst the Board members for their review and approval. Upon further motion by Respondent's attorney for reimbursement of fees and costs, the Board declined to grant such motion.

**5. Hearing for Case A1-046108**

**Las Vegas City Employees Association and Val Sharp v. City of Las Vegas**

The hearing on the case was held by the Board. Post-hearing briefs are due March 2, 2015.

**STIPULATION CALENDAR**

**6. Case A1-046093**

**Clark County Education Association v. Clark County School District**

Upon motion, the Board granted the Stipulation to Dismiss, as presented, with each side to bear its own fees and costs.

**7. Case A1-046114**

**Tammy Bonner and Bachera Washington v. City of North Las Vegas**

Upon motion, the Board granted the Stipulation and Order to Dismiss, as presented, with each side to bear its own fees and costs.

**8. Case A1-046115**

**Daniel Woychiehowsky v. City of Sparks and Spark Police Department**

The Board acknowledged receipt of Respondent's Status Report and upon motion, granted the Stipulation to Extend Deadline to File Opposition to Respondent's Motion to Dismiss, extending the deadline to file the opposition to January 9, 2015. Commissioner Snyder noted that the opposition has already been received.

9. **Case A1-046122**  
**Las Vegas Peace Officers Association v. City of Las Vegas**  
Upon motion, the Board granted the Stipulation for Dismissal, as presented, with each side to bear its own fees and costs.
10. **Case A1-046124**  
**Joseph DeMonte v. Clark County District Attorney's Office**  
Upon motion, the Board granted the Stipulation and Order to Stay Action, as presented, which will accordingly stay any action on this case for 120 days from the filing date of the Notice of Entry of Order related to this stipulation.
11. **Case A1-046125**  
**North Las Vegas Police Supervisors Assoc. v. City of North Las Vegas**  
Upon motion, the Board granted the Stipulation and Order to Extend Time to File Pre-Hearing Statements, as presented, thus extending the deadline from December 15, 2014 to February 13, 2015.

#### **MOTION CALENDAR**

12. **Consolidated Cases A1-045847 to A1-045864**  
**Deborah Boland et al. v. Nevada Service Employees Union, SEIU, Local 1107**  
Upon motion, the Board denied the Motion to Dismiss filed by Respondent, claiming it was without merit.
13. **Case A1-046118**  
**Sherri Davis v. City of Las Vegas; and Clark County School District**  
Upon motion, the Board denied Complainant's Motion to Reconsider, finding that service of the motion to dismiss, filed by Respondent, had been proper.
14. **Case A1-046127**  
**Officer Russell Laws, individually; Sergeant Mike Quick, individually; and Las Vegas Police Protective Assoc. v. Las Vegas Metropolitan Police Department**  
Upon motion, the Board denied Complainants' Motion for In-Camera Inspection of Documents, noting that that the courts are the proper forum to resolve any disputes arising out of a public records request.
15. **Case A1-046133**  
**Service Employees International Union, Local 1107 v. Southern Nevada Regional Housing Authority**  
Upon motion, the Board denied the Motion to Dismiss, claiming it was without merit.

16. **Case A1-046134**  
**Service Employees International Union, Local 1107 v. Southern Nevada Regional Housing Authority**  
Upon motion, the Board granted the Motion to Dismiss, noting that no opposition had been filed.
17. **Case A1-046136**  
**Teamsters Local 533 v. City of Fallon**  
Upon motion, the Board granted the Notice of Dismissal, noting that the other party agreed with the proposed dismissal of the case. Each side is to bear its own fees and costs.

**CALENDAR FOR MISCELLANEOUS MATTERS RELATED TO CASES**

18. **Case A1-045735**  
**International Brotherhood of Teamsters, Local 14 v. Clark County School District and Education Support Employees Association**  
Upon motion, the Board granted the request of the Commissioner to make two technical amendments to the Election Plan for the election currently underway and for which ballots are to be counted on February 3, 2015.
19. **Case A1-045929**  
**Timothy Frabbie v. City of North Las Vegas**  
Upon motion, the Board awarded Complainant \$66,962.50 in attorney fees and \$10,400.00 in costs and directed Deputy Attorney General to draft an order detailing how those figures were arrived at by the Board.
20. **Case A1-046092**  
**Washoe County School Police Officers' Association v. Washoe County School District**  
The Board reviewed the Status Report of Case Regarding Arbitrator's Decision and upon motion, granted a stay in the case until March 1, 2015 so that the parties can have time to possibly enter into a settlement of the matter.
21. **Cases in the Queue for Future Hearing or Settlement Conference**  
The Board deliberated on the various cases in the queue and decided as follows: (1) that Case A1-046068, Elko County Employees Association v. Elko County, be scheduled for hearing in May in Elko, Nevada; (2) that a settlement conference for Case A1-046119, Shannon D'Ambrosio v. Las Vegas Metropolitan Police Department, be ordered; and (3) that action on all other cases in the queue be tabled until a future meeting.

## GENERAL AGENCY MATTERS

### 22. Schedule of Future Board Meetings

The Board reviewed the proposed schedule and made no changes to the following dates for 2015:

Dates	Location	Hearings on Cases
February 10, 11 & 12, 2015	Las Vegas	A1-046054 & A1-046080
March 10, 11 & 12, 2015	Las Vegas	A1-046111 & A1-046123
April 7, 8 & 9, 2015	Las Vegas	To be determined
May 5 & 6, 2015	Elko	A1-046068
June 9, 10 & 11, 2015	Unknown	To be determined
July 14, 15 & 16, 2015	Unknown	To be determined
August 11, 12, & 13, 2015	Unknown	To be determined
September 15, 16, & 17, 2015	Unknown	To be determined
October 12, 13, & 14, 2015	Unknown	To be determined
Nov. 17, 18, & 19, 2015	Las Vegas	To be determined
Dec. 8, 9, & 10, 2015	Las Vegas	To be determined

### 23. Report of the Deputy Attorney General

Deputy Attorney General Scott Davis gave an oral presentation on the status of the various cases either on judicial review or on appeal at the Nevada Supreme Court.

### 24. Reports by the Commissioner

A. Report on cases currently outstanding.

Commissioner Snyder distributed an updated log of open cases and briefly talked about the log.

B. Board room furniture and layout.

The Board commented that they liked the revised layout of the hearing room. Chairman Larson stated that he would visit one or more stores in the upcoming month to find suitable chairs to replace the ones currently used by the Board and report to the Board his findings at the next Board meeting.

C. Report as to the status of the annual filings by local governments and employee organizations.

Board Secretary Marisu Romualdez Abellar reported that all but one local government had now filed their annual reports and that there were still a sizeable number of employee organizations that had yet to file.

D. Report on possible ideas to expedite hearings for cases and possible action on the adoption of one or more recommendations.

Commissioner Snyder briefly reviewed an analysis that he had done which shows that the average time (for current cases) from when a case enters the queue to when it is expected to receive a hearing is currently 10.7 months, which exceeds the current goal of 8 months. A discussion was held concerning

various alternatives but no consensus was reached and it was agreed to revisit this topic at a future meeting.

E. Report on the election regulations workshop held December 3, 2014, discussion related thereto and possible direction by the Board to staff.

On Wednesday Commissioner Snyder reviewed prior Board discussions which led to the holding of a regulations workshop on this topic on December 3, 2014. He then reviewed comments made at that workshop. This was followed by comments made by Frank Flaherty and Kristin Martin, who were in attendance. Their comments primarily concerned the so-called supermajority rule and to what extent it could or could not be amended by the Board. Commissioner Snyder further mentioned that there is the possibility that the issue of representation elections might be addressed by the legislature in its upcoming session, which is scheduled to take place from February 2, 2015 through June 1, 2015. Based on this it was the opinion of the Board not to take any action on this issue at this time.

The following day the Board revisited this item, allowing Deputy Attorney General Scott Davis to provide some history on the supermajority rule. He also discussed a possible option for the Board to consider that could alter the supermajority rule as a temporary regulation and then he would file a petition for a declaratory order in order to determine whether such a regulation would be legal. Upon consideration of this further information the Board directed Deputy Attorney General Davis and Commissioner Snyder to draft a temporary regulation addressing the supermajority rule, as well as various alternatives for the paying of such elections.

F. Report on the open forum held December 3, 2014.

Commissioner Snyder briefly discussed the minutes of the open forum held on December 3, 2014 and the major comments made by the user community at that forum.

G. Calendar Year 2014 Annual Report.

Commissioner Snyder discussed the 2014 Annual Report, noting highlights from the various pages within the report. This led to a discussion on the performance measures listed in the goals for 2015. Commissioner Snyder further stated that it was his intent to release the report to those on the e-newsletter mailing list.

**25. Items for Future Agendas**

No items were specifically requested by any of the Board members for inclusion on a future agenda.

<b>CLOSING MATTERS</b>
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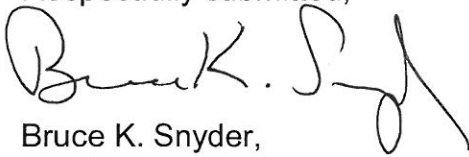
**26. Comments by Board Members**

No comments were offered by any of the Board members.

**27. Additional Period of Public Comment**

No public comment was offered.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce K. Snyder". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Bruce K. Snyder,  
EMRB Commissioner